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HOUSE BILL 339

**44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999**

INTRODUCED BY

Daniel P. Silva

AN ACT

RELATING TO HIGHWAYS; PROVIDING THAT HIGHWAY COMMISSIONERS BE APPOINTED FROM CONGRESSIONAL DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 67-3-3 NMSA 1978 (being Laws 1967, Chapter 266, Section 2, as amended) is amended to read:

"67-3-3. HIGHWAY COMMISSION DISTRICTS--~~[ONE MEMBER APPOINTED FROM EACH DISTRICT]~~ APPOINTMENT--RESIDENCE REQUIREMENTS.--

~~[A. There are created six highway commission districts as follows:~~

~~(1) District No. 1, which shall be composed of the counties of Socorro, Grant, Sierra, Dona Ana, Luna and Hidalgo;~~

~~(2) District No. 2, which shall be composed of the counties of Lea, Eddy, Chaves, Roosevelt, Curry, DeBaca, Lincoln and Otero;~~

~~(3) District No. 3, which shall be composed of the counties of Bernalillo and Valencia and, in Sandoval county, all of townships twelve and thirteen north, ranges one, two, three, four, five and six east and all of townships fourteen, fifteen and sixteen~~

underscored material = new  
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1 north, ranges four, five and six east;

2 (4) District No. 4, which shall be composed of the counties of Colfax,  
3 Union, Mora, Harding, San Miguel, Quay and Guadalupe;

4 (5) District No. 5, which shall be composed of the counties of San  
5 Juan, Rio Arriba, Taos, Santa Fe, Torraine and Los Alamos; and

6 (6) District No. 6, which shall be composed of the counties of Catron,  
7 Cibola, McKinley and all of Sandoval county excluding all of townships twelve and thirteen  
8 north, ranges one, two, three, four, five and six east and all of townships fourteen, fifteen and  
9 sixteen north, ranges four, five and six east.

10 B. The legislature, in the event of the creation of any new county, shall attach  
11 any such county to any of the above districts to which said county may be contiguous.

12 C. ~~One member~~ Two members of the state highway commission shall be  
13 appointed from each of the ~~[six highway commission]~~ three congressional districts, and ~~[the]~~  
14 each member shall reside in the district from which he is appointed. Change of residence of a  
15 highway commissioner to a place outside the ~~[highway]~~ district from which he was appointed  
16 shall automatically terminate the term of that commissioner."

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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6 March 2, 1999

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8  
9 Mr. Speaker:

10 Your **TRANSPORTATION COMMITTEE**, to whom has been referred

11  
12 **HOUSE BILL 339**

13  
14 has had it under consideration and reports same with recommendation that it **DO NOT**  
15 **PASS**, but that

16  
17 **HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR**  
18 **HOUSE BILL 339**

19  
20 **DO PASS**, amended as follows:

- 21  
22 1. On page 2, line 19, after “commissioner” insert “for that district”.,

23  
24 and thence referred to the **APPROPRIATIONS AND FINANCE**  
25 **COMMITTEE.**

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

3 HB 339

Page 4

4  
5 Respectfully submitted,

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9 \_\_\_\_\_  
10 **Daniel P. Silva, Chairman**

11  
12 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
13 (Chief Clerk) (Chief Clerk)

14  
15 Date \_\_\_\_\_

16  
17 The roll call vote was 9 For 4 Against

18 Yes: 9  
19 No: Crook, Heaton, Whitaker, Williams  
20 Excused: None  
21 Absent: None

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HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 339

**44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999**

AN ACT

RELATING TO HIGHWAYS; PROVIDING THAT STATE HIGHWAY  
COMMISSIONERS BE APPOINTED FROM CONGRESSIONAL DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 67-3-2 NMSA 1978 (being Laws 1967, Chapter 266, Section 1, as amended) is amended to read:

"67-3-2. STATE HIGHWAY COMMISSIONERS--NUMBER--APPOINTMENT--  
POWERS--TERM OF OFFICE--BOND.--

A. The state highway commission shall consist of six members to be appointed by the governor with the advice and consent of the senate.

B. The state highway commissioners holding office on ~~[the effective date of this act]~~ July 1, 2001 shall serve out the remainder of their unexpired terms ~~[and]~~. Thereafter, two members of the commission shall be appointed from each of the three congressional districts for six-year terms as provided in this subsection. For terms beginning on January 1, 2003, one commissioner shall be appointed from congressional district one and one commissioner shall be appointed from congressional district two. For terms beginning on January 1, 2005, one commissioner shall be appointed from congressional district one and one commissioner shall be appointed from congressional district three. For terms beginning on January 1, 2007, one

1 commissioner shall be appointed from congressional district two and one commissioner shall be  
 2 appointed from congressional district three. Thereafter, commissioners shall be appointed for  
 3 staggered terms of six years each commencing on January 1 so that the terms of not more than  
 4 two commissioners expire on December 31 of each even-numbered year. Each member shall  
 5 reside in the district from which he is appointed. A change of residence of a member to a place  
 6 outside the district from which he was appointed shall disqualify that member from serving as a  
 7 state highway commissioner and shall create a vacancy in that office. Any vacancy shall be  
 8 filled by appointment ~~[of]~~ by the governor with the approval of the senate for the remainder of  
 9 the unexpired term.

10 C. Each of the members, in order to qualify as such, shall take the usual oath  
 11 and execute in favor of the state a surety company bond in a form approved by the attorney  
 12 general in the amount of twenty-five thousand dollars (\$25,000) conditioned upon the faithful  
 13 performance of his duties. No more than four of the appointed commissioners shall belong to  
 14 the same political party.

15 D. The state highway commission shall have the power to determine all  
 16 matters of policy for the department."

17 Section 2. REPEAL.--Section 67-3-3 NMSA 1978 (being Laws 1967, Chapter 266,  
 18 Section 2, as amended) is repealed.

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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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5 March 2, 1999  
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7 Mr. Speaker:  
8

9 Your **TRANSPORTATION COMMITTEE**, to whom has been referred  
10

11 **HOUSE BILL 339**  
12

13 has had it under consideration and reports same with recommendation that it **DO NOT**  
14 **PASS**, but that  
15

16 **HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR**  
17 **HOUSE BILL 339**  
18

19 **DO PASS**, amended as follows:  
20

- 21 1. On page 2, line 19, after “commissioner” insert “for that district”.,  
22

23 and thence referred to the **APPROPRIATIONS AND FINANCE**  
24 **COMMITTEE**.  
25

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HTC/HB 339

HB 339

Page 8

Respectfully submitted,

\_\_\_\_\_  
**Daniel P. Silva, Chairman**

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 4 Against

Yes: 9

No: Crook, Heaton, Whitaker, Williams

Excused: None

Absent: None

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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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5 March 4, 1999  
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7 Mr. Speaker:  
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9 Your **APPROPRIATIONS AND FINANCE COMMITTEE**, to  
10 whom has been referred  
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12 **HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR**  
13 **HOUSE BILL 339, as amended**  
14

15 has had it under consideration and reports same with recommendation that it **DO PASS**.  
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17 Respectfully submitted,  
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21 **Max Coll, Chairman**  
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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

3 HTC/HB 339

4 Page 10

5 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

6 (Chief Clerk)

(Chief Clerk)

7 Date \_\_\_\_\_

8  
9 The roll call vote was 11 For 5 Against

10 Yes: 11

11 No: Buffett, Heaton, Marquardt, Pearce, Watchman

12 Excused: Picraux

13 Absent: None

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**FORTY-FOURTH LEGISLATURE**  
**FIRST SESSION, 1999**

**HB 339/a**

March 16, 1999

Mr. President:

Your **RULES COMMITTEE**, to whom has been referred

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**HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR**  
**HOUSE BILL 339, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**,  
amended as follows:

1. On page 3, line 7, before "REPEAL" insert "DELAYED" and  
before "Section" insert "Effective July 1, 2001,"

and thence referred to the **CORPORATIONS & TRANSPORTATION**  
**COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
Gloria Howes, Co-Chair

HTC/HB 339

**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Adair, Altamirano, Gorham

Absent: None

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**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

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**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

March 17, 1999

Mr. President:

Your **CORPORATIONS & TRANSPORTATION COMMITTEE**, to  
whom has been referred

**HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 339, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**.

Respectfully submitted,

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**Roman M. Maes, Chairman**

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HTC/HB 339

**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Rawson

Excused: Aragon, Fidel, McKibben, Robinson

Absent: None

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**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

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**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

March 17, 1999

Mr. President:

Your **CORPORATIONS & TRANSPORTATION COMMITTEE**, to  
whom has been referred

**HOUSE TRANSPORTATION COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 339, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**.

Respectfully submitted,

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Roman M. Maes, Chairman

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HTC/HB 339

**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Rawson

Excused: Aragon, Fidel, McKibben, Robinson

Absent: None

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